



Sen. Kimberly A. Lightford

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LRB096 08567 KTG 23155 a

1 AMENDMENT TO SENATE BILL 1657

2 AMENDMENT NO. _____. Amend Senate Bill 1657 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Human Rights Act is amended by
5 changing Section 2-103 as follows:

6 (775 ILCS 5/2-103) (from Ch. 68, par. 2-103)

7 Sec. 2-103. Arrest and Criminal Charge Records ~~Record~~.

8 (A) Unless otherwise authorized by law, it is a civil
9 rights violation for any employer, employment agency or labor
10 organization to inquire into or to use (1) the fact of an
11 arrest, (2) the fact of a criminal charge, or (3) criminal
12 history record information ordered expunged, sealed or
13 impounded under Section 5 of the Criminal Identification Act as
14 a basis to refuse to hire, to segregate, or to act with respect
15 to recruitment, hiring, promotion, renewal of employment,
16 selection for training or apprenticeship, discharge,

1 discipline, tenure or terms, privileges or conditions of
2 employment. This Section does not prohibit a State agency, unit
3 of local government or school district, or private organization
4 from requesting or utilizing sealed felony conviction
5 information obtained from the Department of State Police under
6 the provisions of Section 3 of the Criminal Identification Act
7 or under other State or federal laws or regulations that
8 require criminal background checks in evaluating the
9 qualifications and character of an employee or a prospective
10 employee.

11 (B) The prohibition against the use of the fact of an
12 arrest or the fact of a criminal charge contained in this
13 Section shall not be construed to prohibit an employer,
14 employment agency, or labor organization from obtaining or
15 using other information which indicates that a person actually
16 engaged in the conduct for which he or she was arrested.

17 (Source: P.A. 93-1084, eff. 6-1-05.)".